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per

UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA - LOS ANGELES DIVISION

In re
ITKIN & SABADASH,

Involuntary Debtor.

Case No. 2:25-bk-11235-NB

Chapter 7

**NOTICE OF VOLUNTARY DISMISSAL
AND WITHDRAWAL OF DOCKET NO.
100--JOINT OPPOSITION TO
PUTATIVE PARTNER ALEXANDER
SABADASH'S MOTION FOR FEES
AND DAMAGES, UNDER 11 U.S.C. §
303(I) AND SANCTIONS UNDER FRBP
9011 AND THE COURT'S INHERENT
AUTHORITY (DOCKET NO. 91);
DECLARATIONS OF GARRY Y.
ITKIN, DANIEL J. McCARTHY,
JOSEPH E. CACERES AND CHARLES
SHAMASH**

**TO: THE HONORABLE NEIL W. BASON, UNITED STATES BANKRUPTCY
JUDGE, AND TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

Petitioning general partner Garry Y. Itkin, Daniel J. McCarthy and Joseph E. Caceres hereby voluntarily dismiss and withdraw without prejudice the pleading entitled "Joint Opposition to Putative Partner Alexander Sabadash's Motion for Fees and Damages, Under 11 U.S.C. § 303(i) and Sanctions Under FRBP 9011 and the Court's Inherent Authority (Docket No. 91); Declarations of Garry Y. Itkin, Daniel J. McCarthy, Joseph E. Caceres and Charles Shamash" that was filed as docket no. 100 on August 5, 2025. That Joint Opposition was inadvertently filed as an opposition to the Motion that is docket no. 90, whereas it is a Joint Opposition to the similarly-named Motion that is docket no. 91. That Joint Opposition was correctly filed to the Motion which is docket no. 91 on August 5, 2025, as docket no. 101

The withdrawn Joint Opposition was replaced by the correct pleading entitled "Joint Opposition to Putative Partner Alexander Sabadash's Motion for Fees and Damages, Under 11 U.S.C. § 303(i) (Docket No. 90); Declarations of Garry Y. Itkin, Daniel J. McCarthy, Joseph E. Caceres and Charles Shamash" that was filed on August 5, 2025, as docket no. 104. That Joint Opposition responds to the Motion which is docket no. 90.

DATED: August 5, 2025

HILL, FARRER & BURRILL LLP

CACERES & SHAMASH, LLP

By: /s/ Daniel J. McCarthy

By: 

Daniel J. McCarthy
Attorneys for Petitioning General Partner
GARRY Y. ITKIN, and Daniel J. McCarthy,
in pro per

Charles Shamash
Attorneys for Creditors and Joseph E. Caceres, in
pro per

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is: 515 South Flower Street, 7th Floor, Los Angeles, CA 90071.

A true and correct copy of the foregoing document entitled (*specify*): **NOTICE OF VOLUNTARY DISMISSAL AND WITHDRAWAL OF DOCKET NO. 100--JOINT OPPOSITION TO PUTATIVE PARTNER ALEXANDER SABADASH'S MOTION FOR FEES AND DAMAGES, UNDER 11 U.S.C. § 303(I) AND SANCTIONS UNDER FRBP 9011 AND THE COURT'S INHERENT AUTHORITY (DOCKET NO. 91); DECLARATIONS OF GARRY Y. ITKIN, DANIEL J. MCCARTHY, JOSEPH E. CACERES AND CHARLES SHAMASH** will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (*date*) August 5, 2025, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

Joseph E Caceres jec@locs.com, generalbox@locs.com
Daniel J McCarthy dmccarthy@hillfarrer.com, spadilla@hillfarrer.com;dflowers@hfbllp.com
Kurt Ramlo Adam RamloLegal@gmail.com, kr@ecf.courtdrive.com,ramlo@recap.email
Charles Shamash cs@locs.com, generalbox@locs.com
Oleg Stolyar astolyar@loeb.com
United States Trustee (LA) ustpregion16.la.ecf@usdoj.gov
Michael Zorkin mz@thezorkinfirm.com

☐ Service information continued on

attached page

2. SERVED BY UNITED STATES MAIL:

On (*date*) _____, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on

attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (*state method for each person or entity served*): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (*date*) _____, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on

attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

August 5, 2025
Date

Daniel J. McCarthy
Printed Name

/s/ Daniel J. McCarthy
Signature